

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Attachment of properties of Sri V.V.S.R.Narasimha Rao (A2) and Sri Ch.Sathya Mohan (A3) under Section 3 & 4 of the Criminal Law Amendment Ordinance, 1994. - Permission accorded to the Inspector of Police, South Zone, CCS, DD, Hyderabad, to file an application before the District Judge, Hyderabad - Orders - Issued.

HOME (PSC) DEPARTMENT

G.O.Ms.No.153

Dated: 16-07-2008

Read the following:

- 1.From the Commissioner of Police, Hyderabad City Lr.No.L&O/M8/4114/07, dated. 15-08-2007
2. From the Dy. Commissioner of Police, Detective Department, Hyderabad Lr.No.140/06/S/Z Team/CCS-DD/2008, dated. 29-02-2008.

ORDER: -

In the reference 2nd read above, the Deputy Commissioner of Police, Hyderabad, has stated that on 01-09-2006, a complaint was received from Sri J.S.V. Prasad, I.A.S., (complainant) Vice-Chairman & Managing Director, Andhra Pradesh State Trading Corporation Limited wherein the said Officer has stated that M/S. Andhra Pradesh State Trading Corporation is a Public Limited Company and has the Export and Import Division, which explores opportunities for imports and exports covering Agricultural, Horticulture, Poultry Products and mineral exports. While so, D.Srinivas Rao, Managing Partner & Authorized Signatory of M/S Saptagiri Traders, Hyderabad, and V.V.S.R.Narsimha Rao, who is the son-in-law of D.Srinivasa Rao and Managing Director of M/S Kalyani Refineries, Shadnagar, had approached the complainant for giving assistance in export of Soya Bean meal on 12-11-2003. V.V.S.R.Narsimha Rao conspired with Srinivasa Rao in order to cheat the complainant, made a proposal to the complainant for extension of the pre-shipment credit of Rs.100 Lakhs for export of 1000 Mts of Soya bean meal through the complainant. Thereby both the persons dishonestly induced the complainant to pay a sum of Rs.87,11,233/- to D.Srinivas Rao. Out of the said amount, the complainant released an amount of Rs.60.00 lakhs on 28-11-2003 and Rs.25.00 lakhs on 16-12-2003 and an amount of Rs.2.00 lakhs on 24-01-2004. However, D.Srinivas Rao failed to export the material within the stipulated time and D.Srinivas Rao had sold the material, which was available in the godowns owned by D.Srinivas Rao in the open market without knowledge and permission of the complainant. The Complainant extended the MOU validity for a period of one month w.e.f.22-06-2004. In spite of that the export was not executed by D.Srinivas Rao within the time and caused huge financial losses to the complainant. On demand made by the complainant for full payment with interest vide Lr.dated.28-06-2004, D.Srinivas Rao agreed to pay the entire demanded amount, and issued post dated cheques of different dates to the complainant for a value of Rs.87.00 lakhs with a promise to clear the balance amount afterwards. Out of those cheques, the first cheque for Rs.4.00 lakhs was realized. Thereafter another cheque for Rs.4.00 lakhs was also realized. The remaining 13 cheques were bounced in the bank after presenting them.

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2. In this regard, the complainant has filed criminal cases against D.Srinivas Rao and M/s Saptagiri Traders before the Criminal Court u/s 138 and 142 of Negotiable Instruments Act and the same are pending before the Court of VI Metropolitan Magistrate, Nampally. Thus, Srinivas Rao received the same amount from the complainant, by inducing the complainant fraudulently with false promises of supplying Soya bean meal to the complainant.

3. On receipt of the above said complaint, a case in Cr.No.539/2006, u/s 406, 420 I.P.C. has been registered at Saifabad Police Station and investigated into. During the course of investigation, Sri Bhogi Bhushan was examined and his statement was recorded. Later, the CD file was transferred to Deputy Commissioner of Police., Detective Department, CCS, Hyderabad, on 12-09-2006, vide No.530/Cr./P.S./SB/2006, dated.12-09-2006. On receipt of the above, the case was re-registered as Cr.No.140/2006, u/s 406, 420 of the I.P.C., and the same was handed over to the Inspector of Police, South Zone, for further investigation.

4. During the course of investigation by the South Zone team, number of witnesses were examined and their statements were collected. The accused D.Srinivas Rao (A1) and Sri V.V.S.R. Narsimha Rao(A2) were arrested and produced before the Hon'ble XII Additional C.M.M. Court, and they were sent to judicial custody. (A3) Sri Ch. Sathya Mohan, Proprietor of M/s. Saptagiri Traders, filed petitions u/s.438 Cr.P.C. in the Court of VIIIth Additional M.S.J. Court for anticipatory bail and surrendered before the Hon'ble XII Additional C.M.M. Court. Later (A3) appeared before the Inspector, South Zone, as per the Court directions. The confessional statement of the accused (A3) was recorded and some documents pertaining to Saptagiri traders were seized from the said accused. The signatures of the accused (A1 to A3) were sent to FSL for comparison and handwriting expert opinion is awaited.

5. The immovable properties of A2 i.e. V.V.S.R. Narsimha Rao and A3 i.e., Ch.Sathya Mohan, were identified and documents were collected from the concerned Sub-Registrar's Offices.

6. In view of the above, the Deputy Commissioner of Police, Detective Department, Hyderabad, has requested the Government to permit the Inspector of Police, South Zone Team, CCS., D.D., Hyderabad, to move the District Judge through the Government Pleader for necessary attachment proceedings in respect of the properties of the accused (A2) and (A3), pending investigation of the case, and further requested to instruct the Government Pleader of District Courts to move the District Judge in this regard.

7. Government, after careful examination, hereby accept the proposal of the Commissioner of Police, Hyderabad City, and accord permission to the Inspector of Police, South Zone, CCS, DD, Hyderabad, to file an application before the District Judge, Hyderabad, for attachment of properties of Sri V.V.S.R.Narasimha Rao (A2) and Sri Ch.Sathya Mohan (A3) under Sections 3 & 4 of the Criminal Law Amendment Ordinance, 1994.

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8. The Commissioner of Police, Hyderabad/Competent Authority, is requested to take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJOYENDRA PYAL
PRINCIPAL SECRETARY TO GOVERNMENT (I/C)

To
The Commissioner of Police, Hyderabad City.

Copy to :

The Deputy Commissioner of Police, Detective Department, Hyderabad .

The Concerned Investigating Officer

through Commissioner of Police, Hyderabad.

The Government Pleader. of District Courts for necessary action.

SF/SC

// FORWARDED:: BY ORDER //

SECTION OFFICER